

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

J.K.J.,

Plaintiff,

v.

POLK COUNTY and DARRYL L.
CHRISTENSEN,

Defendants,

Case No. 15-CV-428

and

WISCONSIN COUNTY MUTUAL
INSURANCE CORPORATION,

Intervenor.

M.J.J.,

Plaintiff,

vs.

POLK COUNTY and DARRYL L.
CHRISTENSEN,

Defendants,

Case No. 15-CV-433

and

WISCONSIN COUNTY MUTUAL
INSURANCE CORPORATION,

Intervenor.

RULE 26(a)(3) DISCLOSURES OF DEFENDANT POLK COUNTY

Defendant Polk County (“Polk County” or “County”), hereby makes the following designations pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure and the Order entered by the Court on November 28, 2016.

RULE 26(A)(3) DISCLOSURES

A(1). Polk County expects to present the following witnesses at trial:

1. Jail Captain Scott Nargis
2. Deputy Sheriff Steven Moe
3. Sheriff Peter Johnson
4. Plaintiff J.K.J
5. Plaintiff M.J.J.
6. Darryl Christensen
7. Eugene E. Atherton
8. Kenneth I. Robbins, M.D.

A(2). Polk County may call the following witnesses at trial should the need arise:

1. Scott A. Pitmann
2. Michael Ottosen
3. Lori Flandrena
4. Loraine Lee-Beyl
5. Stacey Ptacek
6. Andrea Jerrick
7. Jeff P. Eiser
8. Mark Raderstorf
9. Michael Speirer, M.D.

Polk County reserves the right to call any witnesses identified by the plaintiffs in their Rule 26(a)(3) Disclosures.

B. Polk County may, if necessary, present the testimony of the following witness by deposition:

1. Brad Hompe (*see* deposition designation chart attached as Exhibit A).

C(1). Polk County expects to present the following exhibits at trial:

1. Complete Jail Policy and Procedure Manual
2. Polk County Jail Policy and Procedure Manual, Section C-200, Supervision and Management of Inmates
3. Polk County Jail Policy and Procedure Manual, Section C-202, Fraternization with Inmates
4. Polk County Jail Policy and Procedure Manual, Section C-202, Fraternization with Inmates/PREA
5. Polk County Jail Policy and Procedure Manual, Section C-203, Fraternization between Staff
6. Polk County Jail Policy and Procedure Manual, Section I-100, Inmate Rights
7. Polk County Jail Policy and Procedure Manual, Section I-200, Inmate Grievance
8. Polk County Jail Policy and Procedure Manual, Section I-400, Inmate Discipline
9. Polk County Jail Inmate Handbook
10. Certificates of Training completed by Darryl Christensen
11. Memorandum entitled "Request for Outside Agency, Criminal Investigation" concerning Darryl Christensen, dated November 7, 2014 (PCJ0000317 – 322).
12. Letter dated October 30, 2014, to Darryl Christensen regarding investigation of alleged inappropriate contact with inmates (PCJ0000316)
13. Memorandum entitled "Confidential Administrative Investigation," prepared by Deputy Sheriff Steven B. Moe (PCJ0000308 – 315)
14. Polk County Justice Center Architectural Floor Map/Diagram (PCJ0004700 – 4701)
15. Photographs of Polk County Jail
16. Wisconsin Department of Corrections Report of Annual Inspection, 2009
17. Wisconsin Department of Corrections Report of Annual Inspection, 2010
18. Wisconsin Department of Corrections Report of Annual Inspection, 2011

19. Wisconsin Department of Corrections Report of Annual Inspection, 2012
20. Wisconsin Department of Corrections Report of Annual Inspection, 2013
21. Wisconsin Department of Corrections Report of Annual Inspection, 2014
22. Expert Report of Eugene Atherton, dated June 15, 2016
23. Curriculum Vitae of Eugene Atherton
24. Expert Report of Kenneth I. Robbins, M.D., dated June 16, 2016
25. Curriculum Vitae of Kenneth I. Robbins, M.D.
26. Two-page letter from Michael J. Spierer, Ph.D. to Kenneth I. Robbin, M.D., dated July 14, 2016
27. Four-page letter from Michael J. Spierer, Ph.D. to Kenneth I. Robbin, M.D., dated July 14, 2016
28. Curriculum Vitae of Michael J. Spierer, Ph.D.

C(2). Polk County may present the following exhibits at trial:

1. National Standards To Prevent, Detect, and Respond to Prison Rape, 77 Fed. Reg. 37106-01 (June 20, 2012)
2. Wis. Admin. Code § DOC 350
3. 28 C.F.R. § 115 (National Standards To Prevent, Detect, and Respond to Prison Rape)
4. Core Jail Standards, American Correctional Association, 2010
5. Performance-Based Standards for Adult Detention Facilities, American Correctional Association, Fourth Edition, June 2004
6. Trial Testimony of Jeff P. Eiser in *Rankins v. Howard*, 11-CV- 1153 (E. D. Wis., December 4, 2012).
7. May 29, 2012 Report of Jail Operations Expert Jeff Eiser, *Rankins v. Howard*, 11-CV- 1153 (E. D. Wis.).
8. February 2, 2012 resignation letter from Allen Jorgenson to Scott Nargis
9. February 21, 2014 e-mail from Captain Scott Nargis to Jail Staff re: PREA training
10. Polk County Sheriff's Department Employee Handbook

11. Corrections Officer Job Description
12. Christensen Personnel File
13. J.K.J. Jail Records
14. M.J.J. Jail Records
15. Booking Searches for J.K.J.
16. Booking Searches for M.J.J.
17. Wisconsin Department of Justice, Division of Criminal Investigations
Interactive Case File No. 14-6160, Polk County Jailer Misconduct,
concerning Darryl Christensen (PCJ 0004389 – 0004679)
18. Christensen Employment Records
19. Polk County Justice Center Electronics Floor Map/Diagram (PCJ0004702
– 4705)

Polk County reserves the right to introduce any exhibits identified by the plaintiffs in their Rule 26(a)(3) Disclosures.

Dated this 19th day of December, 2016.

s/ Paul D. Cranley

Charles H. Bohl
Paul D. Cranley
Kurt M. Simatic

HUSCH BLACKWELL LLP
555 East Wells Street, Suite 1900
Milwaukee, Wisconsin 53202-3819
Telephone: 414-273-2100
Fax: 414-223-5000
Email: Charles.Bohl@huschblackwell.com

33 East Main Street, Suite 300
Madison, WI 53701-1379
Telephone: 608-255-4440
Fax: 608-258-7138
Email: paul.cranley@huschblackwell.com

20800 Swenson Drive, Suite 300
Waukesha, Wisconsin 53186
Telephone: 262-956-6200
Fax: 262-956-6210
Email: kurt.simatic@huschblackwell.com

Attorneys for Polk County

13294954.1